

REMARKS

Favorable consideration and allowance of the present application is respectfully requested.

Currently, claim 1, 3-4, 6-26, 28, and 30-42, including independent claims 1, 24, and 26, are pending in the present application. For example, independent claim 1 is directed to a method of forming an anti-microbial wiper capable of providing a liquid anti-microbial solution after multiple rinse cycle. The method comprises providing a controlled release anti-microbial formulation comprising an anti-microbial agent and a polymer. The polymer is selected from the group consisting of acrylate polymers, styrene butadiene polymers, vinyl chloride polymers, methacrylate polymers, acrylic polymers, vinyl acetate polymers, and mixtures thereof.¹ The formulation is adhered to an absorbent web containing fibers and the polymer is cross-linked (e.g., after applying the formulation to the web). The web retains liquid after each rinse cycle, and the formulation releases sufficient anti-microbial agent into the retained liquid after each of at least five normal rinse cycles so that the retained liquid is an anti-microbial solution. The retained liquid is capable of disinfecting a hard surface that is wiped with the anti-microbial wiper.

In the Office Action, the present claims were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. Specifically, it was stated that "there is no support in the specification for the cross-linked polymer is at least one compound selected from the group consisting of acrylates . . . and mixtures

¹ Applicants note that the phrase "carboxylated acrylic latexes" has been removed from independent claims 1, 24, and 26. This amendment is simply to clarify that such compounds are encompassed by the more general category of "acrylic polymers" in the Markush group.

there of.” The Office Action points to pages 20-21 of the specification to conclude that only one cross-linked polymer is supported (i.e., polyethylene vinyl acetate copolymer).

To satisfy the “written description” requirement of 35 U.S.C. § 112, first paragraph, the specification need only convey to those skilled in the art with reasonable clarity that Applicants possessed the claimed invention as of the filing date. Importantly, the subject matter of the claim need not be described literally (i.e., using the same terms). M.P.E.P. §2163.02. In the present case, Applicants claim a “cross-linkable” (method claims 1, 3-4, and 6-25) or “cross-linked” polymer (wiper claims 26, 28, and 30-42). The reason for the distinction between the “cross-linkable” and “cross-linked” language is that, in some cases, the polymer may be cross-linked (or cured) after applying the anti-microbial formulation to the web, such as by drying. See e.g., claim 20. Regardless, the written description clearly describes cross-linkable polymers. (See e.g., Appl. p. 7, ll. 7-11). Applicants also claim specific types of polymers (i.e., acrylate, styrene butadiene, vinyl chloride, methacrylate, acrylic, and vinyl acetate polymers). Each of these polymers is expressly referenced in the present specification. (See e.g., Appl. p. 7, ll. 1-6).

Applicants respectfully submit that the specification need not separately list each individual polymer, and then recite *verbatim* that the particular polymer may be cross-linked. All that is required is that for one skilled in the art to recognize what is claimed. See e.g., M.P.E.P. §2163.02. For at least these reasons, Applicants respectfully submit that the present claims fully comply with the written description requirement of 35 U.S.C.

§ 112, first paragraph.²

Besides the above-mentioned objections, the Office Action also notes that the polymers recited in the Markush groups of independent claims 1, 24, and 26 are monomers, not polymers. However, it is common practice in the art to refer to these types of polymers by their monomer constituents. For example, a polymer containing an acrylic monomer is routinely referred to as an "acrylic polymer." This routine practice is evidenced by EP 0113254, which was cited by the Examiner in a previous Office Action. For example, EP 0113254 refers to "a polymeric base material selected from the group consisting of binding agents containing acrylic latexes, nitrile latexes, vinyl-chloride latexes, polyvinyl acetate, vinyl acetate-ethylenes, and styrene-butadi[e]ne latexes." (p. 4, ll. 12-17). Although Applicants believe that the present language is proper, independent claims 1, 24, and 26 have nevertheless been amended to more clearly recite that the Markush group refers to polymers, and not monomers.

It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Venkat is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

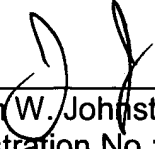
Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

² In the Office Action, the Examiner requested clarification about the Hycar® brand adhesive of the examples. Applicants note that Example 1, for instance, describes a polymer mixture that contains Hycar® RLP, XAMA®7, CMC, and water. It is Applicants' understanding that Hycar® RLP is an acrylonitrile butadiene polymer having a cross-linking functionality (e.g., carboxyl or amine group) that is reactive with the XAMA®-7 cross-linking agent.

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Respectfully submitted,

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